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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 RONALD HOLTZ,

8 Plaintiff,

9 v.

10 SUSAN KARR,

11 Defendant.

No. C12-5111 RJB/KLS

ORDER TO SHOW CAUSE

12 This case has been referred to United States Magistrate Judge Karen L. STrombom
13 pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. On February 9, 2012, Plaintiff filed a
14 proposed civil rights complaint for declaratory relief. ECF No. 1. Plaintiff did not pay the
15 \$350.00 filing fee and did not file an application for leave to proceed *in forma pauperis* (IFP).
16 On March 12, 2012, the Clerk sent Plaintiff a letter notifying him that he had until March 14,
17 2012 to either pay the filing fee or submit an application for IFP status. ECF No. 3. The Clerk
18 provided Plaintiff with the appropriate forms. *Id.* On March 12, 2012, Plaintiff provided a copy
19 of his prisoner trust account statement, but to date has provided no IFP application and no signed
20 consent form. Neither has he paid the filing fee.

22 The Court may permit indigent litigants to proceed *in forma pauperis* upon completion of
23 a proper affidavit of indigency. See 28 U.S.C. § 1915(a). However, the Court has broad
24 discretion in denying an application to proceed *in forma pauperis*. *Weller v. Dickson*, 314 F.2d
25 598 (9th Cir. 1963), cert. denied, 375 U.S. 845 (1963).
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1 In addition, Local Rule CR 3(b) provides in relevant part:

2 At the time application is made under 28 U.S.C. § 1915 or other applicable acts of
3 Congress, for leave to commence any civil action or to file any petition or motion
4 without being required to prepay fees and costs or give security for them, each
petitioner, movant or plaintiff shall:

5 (1) Complete the *in forma pauperis* affidavit approved for use in this district; and

6 (2) File a written consent that the recovery, if any, in the action, to such amount
7 as the court may direct, shall be paid to the clerk who may pay therefrom all
8 unpaid fees and costs taxed against the plaintiff, and to his attorney the amount
which the court allows or approves as compensation for the attorney's services.

9 Accordingly, the Court **ORDERS:**

10 (1) Plaintiff must pay the full \$350.00 court filing fee **or** file an application to
11 proceed *in forma pauperis* (complete with a copy of the written consent required by Local Rule
12 CR 3(b)), **on or before April 20, 2012**. Failure to do so by **April 20, 2012** shall be deemed a
13 failure to properly prosecute this matter and the Court will recommend dismissal of this matter.
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15 (2) The Clerk is directed to send a copy of this Order to Plaintiff.
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17 **DATED** this 29th day of March, 2012.
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20 Karen L. Strombom
21 United States Magistrate Judge
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